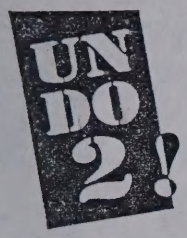
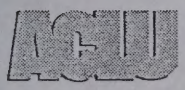


CLIP

COLORADO
LEGAL
INITIATIVES
PROJECT

P.O. Box 44447
Denver, CO 80201
(303) 830-2100
Fax (303) 830-0343



AMERICAN
CIVIL
LIBERTIES
UNION

ACLU OF COLORADO
400 Corona Street
Denver, CO 80218
(303) 777-5482
Fax (303) 777-1773

LESBIAN & GAY RIGHTS
PROJECT NATIONAL ACLU
132 West 43rd Street
New York, NY 10036
(212) 944-9800
Fax (212) 869-9065

LAMBDA
LEGAL DEFENSE
& EDUCATION
FUND

666 Broadway
New York, NY 10012
(212) 995-8585
Fax (212) 995-2306

606 S. Olive Street #580
Los Angeles, CA 90014
(213) 629-2728
Fax (213) 629-9022

FOR IMMEDIATE RELEASE
October 11, 1994

CONTACTS:
Patrick Steadman, CLIP, (303) 777-3235, pager: (303) 392-4455
Nancy Solomon, ACLU of Colorado, (303) 777-5482, fax: (303) 777-1773
Mary Celeste, CLIP, (303) 863-1711, fax: (303) 863-1711
Kathy Parrent, National ACLU, (212) 944-9800 x 424, fax: (212) 869-9065

COLORADO ANTI-GAY AMENDMENT UNCONSTITUTIONAL

Denver, CO...In a 6-to-1 decision, the Colorado Supreme Court today declared "Amendment 2" unconstitutional. If it had become effective, the anti-gay amendment would have stripped gay, lesbian and bisexual Coloradans of their civil and constitutional rights. The State Supreme Court affirmed the lower court decision by District Judge Jeffrey Bayless. The permanent injunction issued by Judge Bayless remains in place, preventing Amendment 2 from ever taking effect.

The Court's decision affirmed that equal participation in the political process is a fundamental right guaranteed by the Constitution. Amendment 2 is unconstitutional because it would have "fenced out" a particular group of people--gays, lesbians and bisexuals--and would have prevented them from participating in the political process. It would have legalized discrimination in Colorado in employment, housing and public accommodation on the basis of sexual orientation--real or perceived.

"This is a great day for the Fourteenth Amendment," said lesbian attorney Mary Celeste, a founding member of Colorado Legal Initiatives Project. CLIP coordinated the legal team challenging the Amendment. To date, CLIP has contributed $175,000 toward court-related costs, not including attorney fees, to fight Amendment 2.

"The Colorado Supreme Court categorically rejected the special rights argument advanced by the proponents of the amendment," added James Joy, executive director of the ACLU of Colorado, part of the legal team opposed to Amendment 2. "The Court agreed that rather than denying 'special rights' to gay, lesbian and bisexual Coloradans, the Amendment would have placed special burdens on this class of people."

"We recite the Pledge of Allegiance at the beginning of each session," said U.S. Representative Patricia Schroeder. "I ask some of my colleagues what part of 'all' in '...liberty and justice for all' don't they understand. Today's decision," she continued, "reaffirms that all Americans have the same rights under the Constitutional and that those rights are inviolate."

Patrick Steadman of CLIP noted that the decision was issued on National Coming Out Day. "This is the day for gays, lesbians and bisexuals to acknowledge their sexual orientation. We want people to see that we are law-abiding, productive and contributing members of society. We work, we pay taxes, we are Americans and entitled to the same protections."

###